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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	CASE NO. CR 21-00259 JST
)	
Plaintiff,)	DECLARATION OF CHP OFFICER XAVIER
)	GUAJARDO IN SUPPORT OF GOVERNMENT'S
v.)	MOTION FOR RECONSIDERATION
)	
CAMERON ANTHONY ODOM,)	
)	
Defendant.)	
_____)	

I, Xavier Guajardo, declare and state as follows:

1. I previously attested to my employment and training, as well as activities, observations, and inferences relating to the arrest of Cameron Anthony Odom on August 26, 2020. Dkt. 39-1. I incorporate those statements here by reference. I provide the following additions to my previous declaration relating to the events of August 26, 2020.

2. When the subject BMW, driven by Odom, pulled off Interstate 580 at the 164th Avenue exit after I and my fellow officer initiated a traffic stop, the BMW made a right turn onto Liberty Avenue and yielded to the right-hand shoulder. This was the shoulder of a short merge lane, which allows vehicles exiting the freeway to merge onto Liberty Avenue. The shoulder where Odom parked the BMW was in a no-park zone. As such, the BMW was parked illegally.

3. Based on my training and experience as an officer, and my knowledge of the area of the traffic stop and its roadways, I understood that the BMW would have pose a significant safety risk if it remained illegally parked on the shoulder of the merge lane. Specifically, to reach the merge lane, drivers exiting Interstate 580 are required to make a 180-deree turn. Because of this, those drivers have no visibility of the merge lane until they themselves reach it. Moreover, the merge lane is relatively short and there would be little room for drivers exiting the freeway to avoid a vehicle parked there. In addition, the stretch of road where the BMW was parked was poorly lit. It would be difficult for cars using the merge lane could see the parked vehicle in the dark. Because of all these factors, I determined that the car posed a significant safety hazard.

4. Based on my training and experience as a CHP officer in the East Bay, the area in which Odom parked the BMW is a high crime area with frequent incidents of car theft and vandalism.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 31st day of March in 2022.

/s/ Xavier Guajardo #21471
Xavier Guajardo, #21471
Officer, California Highway Patrol